

**UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA**

U.S.A. vs. Justin Wade Hermanson

Docket No. 7:20-CR-167-4M

Petition for Action on Conditions of Pretrial Release

COMES NOW Jay Kellum, U.S. Probation Officer of the court, presenting an official report upon the conduct of defendant, Justin Wade Hermanson, who was placed under pretrial release supervision by the Honorable Robert B. Jones, Jr., U.S. Magistrate Judge, sitting in the Court at Wilmington, on the 10th day of February, 2021.

The defendant appeared before Richard E. Myers II, the Chief United States District Judge for arraignment on the 8th day of March, 2022, and supervision was continued under existing conditions.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS
FOLLOWS:**

On November 17, 2020, Hermanson was charged with one count of Conspiracy to Manufacture Firearms and Ship Interstate, in violation of 18 U.S.C. § 371, and Interstate Transportation of Firearms Without a License and Aiding and Abetting, in violation of 18 U.S.C. §§ 922(a)(3), 924(a)(1)(D) and 2, and on November 18, 2020, an arrest warrant was issued. On January 27, 2021, Hermanson was arrested by federal authorities for the charges and was detained pending his detention hearing on February 10, 2021.

On February 10, 2021, Hermanson's detention hearing was held before U.S. Magistrate Judge Robert B. Jones, Jr. Hermanson was ordered released to his third-party custodian, Carleen Hermanson, and placed on Conditions of Release. Per Hermanson's Conditions of Release, Paragraph (7)(p)(ii), he was ordered to participate in the location monitoring home detention program necessitating that he be restricted to his residence at all times except for activities approved by the probation officer. Hermanson was released on February 10, 2021, and the location monitoring program commenced.

On June 16, 2021, Hermanson was re-charged by way of a Second Superseding Indictment, with the same offenses in the initial indictment. On July 7, 2021, Hermanson waived his initial appearance on the Second Superseding Indictment and was allowed to remain under the previously imposed Conditions of Release. On August 18, 2021, Hermanson was again re-charged by way of a Third Superseding Indictment, with the same offenses in the initial indictment. On August 19, 2021, Hermanson waived his initial appearance on the Third Superseding Indictment and was allowed to remain under the previously imposed Conditions of Release.

On March 8, 2022, Hermanson, present with counsel and by way of a plea agreement with the U.S. Attorney's Office, entered a plea of guilty to Count One of the Third Superseding Indictment, Conspiracy to Manufacture Firearms and Ship Interstate, in violation of 18 U.S.C. § 371, and was released on Conditions of Release that were previously ordered.

Since Hermanson's release on Conditions of Release on February 10, 2021, he has remained in full compliance with the conditions of the U.S. Probation Office's location monitoring program. Further, since release, he has maintained gainful employment, resided with his third-party custodian as required, and provided continual negative urinalysis screenings.

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Due to his continued compliance with the Conditions of Release, specifically 19-months of strict compliance with the location monitoring program and his compliance with attending all required court appearances, the U.S. Probation Office no longer believes Hermanson's participation in the location monitoring component is required to mitigate the risk of danger or non-appearance.

On October 12, 2022, I contacted Assistant U.S. Attorney Barbara Kocher who indicated she had no objection to the removal of the location monitoring home detention condition of release.

PRAYING THAT THE COURT WILL ORDER that the conditions or pretrial release requiring home detention with location monitoring are hereby STICKEN. All other conditions of pretrial release shall continue as originally ordered.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ C. Lee Meeks, Jr.
C. Lee Meeks, Jr.
Supervising U.S. Probation Officer

/s/ Jay Kellum
Jay Kellum
U.S. Probation Officer
200 Williamsburg Pkwy, Unit 2
Jacksonville, NC 28546-6762
Phone: 910-346-5109
Executed On: October 13, 2022

ORDER OF THE COURT

Considered and ordered the 14th day of October, 2022, and ordered filed and made part of the records in the above case.

Richard E. Myers II
Richard E. Myers II
Chief United States District Judge